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Analyzing the Iraq-Niger controversy  
involving the State of the Union

THE VICE PRESIDENT  
HAS SEEN

SUMMARY

Key documents written by the Intelligence Community in late 2002 and early 2003 show that the White House would have been reasonable in believing prior to the State of the Union Address that Iraq had sought uranium from Africa. In fact, these documents show that, only days before the speech, the Intelligence Community stood behind its judgment that, "Iraq began to vigorously attempt to procure uranium" from Africa.

These documents include relevant sections of the Intelligence Community's October 2002 NIE and a CIA submission to the White House on January 24, 2003. Both contain the flat assertion that Iraq was vigorously attempting to procure uranium, and cite examples from Africa. In addition, the report of Amb. Joe Wilson has been distorted by the press and Mr. Wilson.

None of these documents have been declassified and presented fairly to the public. But less probative oral discussions and inferences have been readily thrown about. This should be corrected

The Problem. Recent leaks, Director Tenet's July 11 public statement, Amb. Joe Wilson's claims and the media have left the public with the misimpression that the Intelligence Community was expressing widespread doubts about the Iraq-African uranium connection before the State of the Union. From this, some assert that the President or Vice President knew or should have known about these doubts before the President delivered the speech.

The Truth. The complete record -- including especially the written record -- shows that the CIA was communicating directly to the President, Vice President, and other Senior White House officials that the Intelligence Community credited the reports of the Iraq-African connection.

1. THE OCTOBER 2002 NIE FLATLY ASSERTS THAT IRAQ WAS VIGOROUSLY TRYING TO OBTAIN URANIUM. The 1 October 2002 NIE

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includes (at pages 24-5) a section entitled "Uranium Acquisition" (see attached) that states without reservation:

"Iraq also began vigorously trying to procure uranium ore and yellowcake; acquiring either would shorten the time Baghdad needs to produce a nuclear weapon."  
(emphasis added.)

This is presented as a flat assertion by the NIE, not as a summary of the reports which are then cited in bullet form. The reports which are cited include the Niger story and reports involving Somalia and possibly the Congo. The NIE's phrase "vigorously trying to pursue" is not in the Niger reports (the others are not yet available to us.) The reader cannot know whether there are additional reports not cited, for example because they are too sensitive for a report as widely circulated as the NIE.

a. Limited Disclaimers: In citing the Niger reports, the NIE contains three disclaimers, which do not refute the statement of the Intelligence Community that Iraq was "vigorously trying to procure uranium."

i. The first disclaimer states, "We do not know the status of [the Niger] arrangement." This does not question Iraq's intent to procure, which is the President's statement in the State of the Union address.

ii. Similarly, the NIE states that, "We cannot confirm whether Iraq succeeded in acquiring uranium from these [African] sources...", but does not question Iraq's intent to procure.

iii. The third is an INR disclaimer that finds the reports of Iraq's attempt to procure uranium "highly dubious." ~~This disclaimer is not cited or footnoted in the text on Uranium Acquisition, but appears in an appendix on a different issue (aluminum tubes) 60 pages later.~~ Notably, no other agency expresses doubt about the NIE assertion that Iraq is "vigorously trying to pursue" uranium. Therefore, policymakers would conclude that the CIA and other lead agencies did not share the INR doubts, even after hearing INR's views.

b. Director Tenet's July 11, 2003 written statement quotes these three disclaimers in full, but fails to quote in

full the key NIE sentence: "Iraq also began vigorously trying to procure uranium...."

Instead, the Director's statement characterizes the sentence so that it appears to be something stated in the underlying reporting, rather than an NIE assertion. The Director writes that, "These paragraphs also cited reports that Iraq began "vigorously trying to procure" more uranium from Niger and two other African countries...." But the NIE language is presented as a flat assertion by the NIE, not as a citation of reports. The phrase "vigorously trying to procure" does not, to our knowledge, appear anywhere in the cited reports.

**2. FOUR DAYS BEFORE THE STATE OF THE UNION, THE CIA RESENT TO THE WHITE HOUSE THE NIE'S FLAT ASSERTION THAT IRAQ WAS "VIGOROUSLY TRYING TO PROCURE URANIUM."**

Late on January 24, the CIA sent to the White House a five page paper entitled, "The following information responds to your requests for additional details regarding our input to the case for Saddam possessing weapons of mass destruction." This report, which was sent to inform White House efforts, including most notably Secretary Powell's upcoming UN presentation, arrived at the White House only four days before the State of the Union. The CIA's January 24 paper includes virtually verbatim the "Uranium Acquisition" section of the NIE.

Notably, it includes verbatim the NIE's flat assertion that, "Iraq also began vigorously trying to procure uranium...." and the African examples.

There is no INR disclaimer in this January 24, 2003 report. In fact, two weeks earlier the State Department had issued a white paper that cited the Iraqi attempts to procure Uranium from Niger as proof that the Iraqi Declaration under UNSCR 1441 was false.

Director Tenet's July 11 statement and recent leaks do not refer to this January 24 written submission to the White House, leaving an incomplete record. Instead, the Director and recent leaks refer to other sources that appear not to have reached top policy makers and that do not carry the same weight as the Intelligence Community's NIE and the CIA's January 24 written submission to the White House, only days before the speech.

a. Director Tenet's statement cites an oral conversation between CIA and NSC staffers shortly before the State of the Union, but not the equally or more authoritative January 24 submission that was sent by the CIA officer responsible for the NIE, that reached some or all of these same NSC staffers within two days of the oral discussion, and that reaffirmed the Intelligence Community's conclusions in the NIE.

b. Similarly, recent leaks refer to oral conversations between the Director and Deputy National Security Adviser Stephen Hadley around the President's October 7 Cincinnati speech, but not to the fact that the January 24 submission was addressed to Mr. Hadley and circulated to key White House staff only days before the State of the Union.

c. The Director's statement refers to discussions [REDACTED] that are not shown to have come to the attention of top policymakers, while the British white paper and the CIA's January 24 submission did.

d. The Director's statement refers to oral briefings of hundreds of members of Congress in the fall of 2002 that did not include the uranium story, but not the CIA's written January 24 submission to the White House which specifically addressed uranium, which is at least as relevant.

e. The Director's statement seems to suggest that his omission of the uranium story in his briefings to the Congress and elsewhere should lead one to conclude that he had doubts about the intelligence. But CIA doubts do not appear in the NIE issued to Congress in that period. Moreover, the Director's July 11 statement also notes that "Let me emphasize, the NIE's key judgments cited six reasons for this assessment [that Iraq was reconstituting its nuclear program]; the African uranium was not one of them." Thus, even if the White House had focused on what the Director was omitting from his briefings, it would be equally plausible to infer that the uranium simply was not important enough for the brief time available.

3. THE CIA CABLE SUMMARIZING AMB. JOE WILSON'S REPORT OF HIS TRIP TO NIGER SHOWS THAT HE DID NOT DEBUNK THE CLAIM OF AN IRAQ-AFRICAN CONNECTION, AS SOME CLAIM. Some cite the report of Amb. Joe Wilson's trip to Niger to support an assertion or inference that the President or Vice President knew that the Iraq-African uranium connection was questionable. But, as Director Tenet's July 11 statement notes, the trip was not

requested by the Vice President, was not reported to the President or Vice President or other senior policymakers, and the report on Amb. Wilson's trip on its face supported, rather than debunking the claims of an Iraqi procurement effort in Africa.

Moreover, the Wilson trip report (March 2002) preceded by more than six months the October 2002 NIE and the January 24, 2003 CIA submission to the White House. These documents, which reflect not a single report but the consensus position of the Intelligence Community, flatly assert that Iraq was "vigorously trying to procure uranium." So even if a policymaker had reviewed the report of Wilson's trip, it would have been discounted.

4. The October NIE shows "High Confidence" in the Intelligence Community's judgment that "Iraq is continuing, and in some areas expanding, its chemical, biological, nuclear and missile programs contrary to UN Resolutions. (At page 9.)